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FILED
HARRISBURG, PA

MAR 10 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

AMANDA BARGE and
ARTHUR BARGE,
Plaintiffs

v.

DAVID J. SALINGER, M.D.;
WILLIAM YING, Ph.D.;
KEYSTONE ONCOLOGY, LLC d/b/a
HERITAGE HILLS ONCOLOGY CTR.;
COMPREHENSIVE PHYSICS AND
REGULATORY SERVICE, LTD. and
EQUIMED, INCORPORATED,
Defendants

CASE NUMBER: 1:00-CV-1881

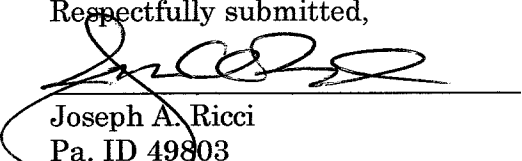
Judge Connor,

JURY TRIAL DEMANDED

MARY E. D'ANDREA,
Per 9/18

SUPPLEMENTAL PROPOSED JURY INSTRUCTION OF DEFENDANTS
WILLIAM YING, Ph.D. AND COMPREHENSIVE PHYSICS AND REGULATORY
SERVICES

Respectfully submitted,


Joseph A. Ricci

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Counsel for Dr. Ying and

Comprehensive Physics and Regulatory
Services

If you should conclude that Dr. Salinger was aware of the existence of a potential danger in the use of the superficial treatment equipment and proceeded to use that equipment in a negligent manner then you may find that his negligence alone is the proximate cause of the injury claimed by the Plaintiff. If you should conclude that Dr. Salinger was not aware of the existence of a potential danger in the use of the superficial treatment equipment then you must determine if each of the defendants acted to contribute to the injury claimed by the Plaintiff.

Coleman v. Dahl 92 A.2d 678 (Pa. 1952)

CERTIFICATE OF SERVICE

I, Joseph A. Ricci, certify that I am this day serving a copy of the foregoing Supplemental Proposed Jury Instruction of William Ying, Ph.D. and Comprehensive Physics and Regulatory Services upon the persons listed below by personal delivery addressed as follows:

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Dated: 3-10-03